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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION  
10 Corbis Corp., NO. C 07-05910 JW  
11 Plaintiff,  
12 v.  
13 Mobiletoys, Inc.,  
14 Defendant.

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**ORDER RE: COMMENCEMENT OF  
DISCOVERY**

The Court is in receipt of a letter from Defendant regarding the commencement of discovery. (See Docket Item No. 18.) Defendant requests clarification that the Court's Scheduling Order does permits the parties to begin discovery immediately. In response, Plaintiff has submitted a letter requesting the Court to deny discovery until after the parties have participated in mediation. (See Docket Item No. 19.) Plaintiff represents that the parties have been unable to agree to the terms of a protective order.

While the Court recognized the parties' desire to devote their efforts to mediation, the Court found that the case would be significantly advanced by the commencement of discovery in the event that mediation may not be fruitful. Thus, the Court clarifies that, by issuing a Scheduling Order, the Court intended for the parties to commence discovery immediately if they so choose.

1 All discovery disputes, including a request for a protective order, shall be addressed to the  
2 assigned Magistrate Judge.

3  
4 Dated: June 20, 2008

  
5 JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Brian Wesley Carver bcarver@fenwick.com  
3 Laurence F. Pulgram lpulgram@fenwick.com  
3 Lawrence Griffith Townsend ltownsend@owe.com

4 **Dated: June 20, 2008**

5 **Richard W. Wieking, Clerk**

6 By: /s/ JW Chambers  
7 Elizabeth Garcia  
Courtroom Deputy